

UNITED STATES DISTRICT COURT NORTHERN MARIANA ISLANDS



JURY SERVICE

MESSAGE

FROM

THE CLERK OF COURT

July 2005

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Published by:

United States District Court
Northern Mariana Islands
2nd Floor, Horiguchi Building
Beach Road, Garapan
P.O. Box 500687
Saipan, MP 96950

July 2005

Welcome to the United States District Court for the Northern Mariana Islands. We hope you will find your term of jury service an interesting and satisfying experience.

You will receive an orientation, two booklets of information for you to read and keep, and view a video entitled "Called to Serve" concerning your duties and responsibilities as a petit juror, or the "People's Panel" concerning your duties and responsibilities as a Grand Juror. These booklets will answer questions of a more detailed nature.

LOCATION: The Courtroom is located on the 1st Floor of the Horiguchi Building on Beach Road in Garapan, Saipan, NMI. The Clerk's Office is on the 2nd Floor of the same building. The mailing address is: United States District Court for the Northern Mariana Islands, P.O. Box 500687, Saipan, MP 96950. The telephone number is (670) 236-2902 and the fax number is (670) 236-2910.

REPORTING REQUIREMENT: When first appearing for Petit Jury or Grand Jury duty, you are to report to the Clerk's Office before proceeding to the courtroom or lobby area on the 1st Floor, or the Grand Jury Room on the 3rd Floor.

SECURITY: Due to the extensive measures taken to protect the Federal Court Building there are certain requirements that are enforced by the security officers. Each person entering the federal building must produce a photo identification of themselves and present it to the court security officer. Further, please be advised that all electronic devices such as cellular phones, pagers, and cameras are **prohibited** in the court facility.

FACILITIES: Public restrooms are located on both the 1st and 2nd Floors of the building. Drinking water is available in the jury lounge and jury rooms. Telephones are available in the Clerk's Office for limited calls only.

PARKING: The parking spaces in front of the Christo Rai Church are available for public use. DO NOT PARK in any of the RESERVED parking spaces located immediately adjacent to the Horiguchi Building.

COMPENSATION: A \$40.00 attendance fee is paid for each day you are required to report for duty, whether or not you are selected to serve. If you are a **federal employee (Postal Service excluded)**, you are not entitled to receive the attendance fee unless you are in a "non-pay" status (e.g. leave without pay, annual, etc.) Or when serving as a juror on a federal holiday.

For residents of Saipan, the standard Federal Mileage Rate, round trip from your home to the Court is allowed. For residents of the other islands in the Commonwealth, the Court will bear the costs of a round trip transportation which will include air and ground transportation. In addition to the attendance fee, residents of the other islands are entitled to travel allowance if required to stay overnight. The use of a taxi cab is only permitted in unusual situations which must be specifically authorized by the Clerk of Court.

A check for attendance, travel allowance, etc. will be processed as soon as possible after the conclusion of the first day's session for off-island jurors. Otherwise, checks will be processed and distributed within one week after service. In the event of a jury session that lasts for several days, your checks may be made in partial payments. You

may personally pick up your check at the Clerk's Office, or it will be mailed to you.

The \$40.00 per day attendance fee must be reported for income tax purposes. A Form 1099M will be mailed to you at the conclusion of your one-year term on or before January 31 of the following year. However, travel allowances are not reportable.

JURY SELECTION PROCESS: Names were obtained from the CNMI Voter Registration List. The prescribed guidelines used by the Court assures a random selection from a fair cross-section of the community. A qualification form was then mailed to this selected group of citizens to fill out and mail back. After the Court established qualification, those qualified to serve were then summoned and empaneled for a one-year term as Petit Jurors. Additionally, the Court will summon and empanel, for a one-year term, prospective jurors to comprise the Grand Jury Panel. This Grand Jury panel may be extended, by court order, for not more than twelve months (a total of twenty-four months). After you have completed the term you were empaneled in, you will not be called again unless, by coincidence, your name is again drawn from the voter registration list in future years. If you are called again within two years after service, you may be excused upon request.

REPORTING FOR DUTY: Jury duty normally commences at 9:00 a.m., however, it is advisable to always refer to your summons for the exact time you are required to appear. **It is critical that you report on time.** We highly recommend that you report at least 30 minutes prior to your scheduled summons time so that the Jury Clerk can make a record of your attendance. Due to the nature of the jury

selection process, be prepared to spend a full day at the Court. If you are traveling from Rota or Tinian, always be prepared to stay for a few days. Further, it is **required** that you call the jury hotline number at (670) 236-2959, in advance of your summoned appearance, to get updates and current information regarding jury selection scheduling.

DRESS CODE: The United States District Court for the Northern Mariana Islands has a dress code which is strictly enforced. Shorts, t-shirts, halter tops, zories, sandals, and other inappropriate attire are not permitted. Also, it should be noted that the Courtroom is air conditioned and you may need a jacket or sweater for your comfort.

Possession and chewing of bettlenut in the court building is prohibited.

LENGTH OF SERVICE: If you report for jury duty and are not selected, you need not return until you receive another notice or summons.

If you are selected as a juror and you complete your term, you will not be called again for further service during the term unless the Court has unusual scheduling demands.

The trial may last several days. In most cases, the Judge will dismiss the jury each evening and will tell you exactly what time you must return the following morning. If it is necessary for the proceedings to continue into the evening later than expected, you will be given enough time to get in touch with your family and to make arrangements for transportation if necessary. For this and other reasons, it is important to ensure that there is some way to get a

message to your family, by telephone or otherwise, during your term of jury service.

If the jury is sequestered (kept together for security purposes), the government will pay all expenses for food, lodging, and transportation.

CHANGE OF ADDRESS, TELEPHONE NUMBER, OR EMPLOYMENT: Jurors who change their address, telephone or fax number, or place of employment, should submit these changes to the Court as soon as possible.

A current address is important to ensure that we mail your checks to the right location. Further, a current phone or fax number, or information as to the location of your residence (if you do not have a phone) is important in order for the Clerk's Office to contact you in the event your service is no longer required.

EXCUSES: Requests for excuse from jury service must be submitted in writing, as soon as possible after receipt of summons, to:

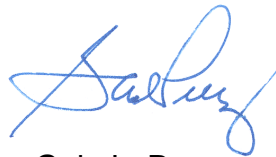
Clerk, U.S. District Court
for the Northern Mariana Islands
2nd Floor Horiguchi Building
Beach Road, Garapan
P.O. Box 500687
Saipan, MP 96950

Section 11 of the Court's Jury Plan provides that jurors who do not make a request in advance to be excused, and who report for jury service and request immediate release, will not be paid by the Court unless they can prove that circumstances warranted their making the trip to the Courthouse.

Jurors who fail to report for jury duty and who are not excused by the Court may be served a Show Cause Order by the United States Marshal. Those jurors will be ordered to appear before the Judge to show cause why they should not be held in contempt of the Jury Selection and Service Act. Contempt penalties range from monetary fines to imprisonment, or both.

ATTENDANCE CERTIFICATES: The Jury Clerk will give you an attendance certificate indicating the dates you served. Some jurors need this certificate in connection with their employment, others may wish to have a certificate for personal record.

If you have additional questions in connection with your jury service in this Court, feel free to ask any of us in the Clerk's Office.



Galo L. Perez
Clerk of Court

Note: See Attached "Notice to Employer"

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Northern Mariana Islands
2nd Floor, Horiguchi Building
Beach Road, Garapan
P.O. Box 500687 • Saipan, MP 96950
Telephone: (670) 236-2902 • Fax: (670) 236-2910
Internet Address: <http://www.nmid.uscourts.gov>

NOTICE TO EMPLOYER

This is to inform you that the person presenting this notice has been summoned for jury service, and pursuant to:

Title 28
United States Code
Judiciary and Judicial Procedure
Subsection 1875
Protection of Jurors' Employment

- (a) No employer shall discharge, threaten to discharge, intimidate or coerce any permanent employee by reason of such employee's jury service, or the attendance or scheduled attendance in connection with such service, in any court of the United States.
- (b) Any employer who violates the provisions of this section:
 - (1) shall be liable for damages for any loss of wages or other benefits suffered by an employee by reason of such violation;
 - (2) may be enjoined from further violations of this section and ordered to provide other appropriate relief, including but not limited to the reinstatement of any employee discharged by reason of his or her jury service; and
 - (3) shall be subject to a civil penalty of not more than \$1,000 for each violation as to each employee.
- (c) Any individual who is reinstated to a position of employment in accordance with the provisions of this section shall be considered as having been on furlough or leave of absence during his or her period of jury service, shall be reinstated to his or her positions of employment without loss of seniority, and shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such individual entered upon jury service.
- (d)
 - (1) An individual claiming that his or her employer has violated the provisions of this section may make application to the district court for the district in which such employer maintains a place of business and the court shall, upon finding probable merit in such claim, appoint counsel to represent such individual in any action in the district court necessary to the resolution of such claim. Such counsel shall be compensated and necessary expenses repaid to the extent provided by Section 3006A of Title 18, United States Code.
 - (2) In any action or proceeding under this section, the court may award a prevailing employee who brings such action by retained counsel a reasonable attorney's fees as part of his or her costs. The court may tax a defendant employer, as costs payable to the court, the attorney fees and expenses incurred on behalf of a prevailing employee, where such costs were expended by the court pursuant to paragraph (1) of this subsection. The court may award a prevailing employer a reasonable attorney's fees as part of the costs only if the court finds the action is frivolous, vexatious, or brought in bad faith.